THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3053 OF 2006

Dated: 17-02-2006

Between

Smt. K. Devi Reddy, W/o. K.S. Reddy,

Occ: Business, R/o. A/20/2, BHEL Colony,

Opp. Loyola Academy, Alwal, Secunderabad.

...PETITIONER

AND

The District Collector, Ranga Reddy

District, Lakdikapool, Hyderabad

and another.

...RESPONDENTS

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the respondents in trying to interfere with the peaceful possession and enjoyment of her property bearing House No.5-78/12 in an extent of 500 Sq. yards situated within the Gramkantam limits of Doolapalli Village and Panchayat, Qutubullapur Mandal, Ranga Reddy District without initiating any proceedings under any law as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner purchased an extent of 500 Sq. yards in which a house bearing

No.5-78/12 is situated within the plinth area of 100 Sq. feet situated in Gramkantam limits of

Doolapalli village and Gram Panchayat, Qutubullapur Mandal, vide Registered Sale Deed Document No.1656/2006 dated 25.01.2006 and she has been paying taxes to the Doolapalli Gram Panchayat. He further submits that the said land in question is not a Government land or assigned land and therefore, the Mandal Revenue Officer – second respondent cannot interfere with peaceful possession and enjoyment the petitioner.

I am not inclined to express any opinion as to whether the said land is an assigned land or a Government land and if the said land is an assigned land or Government land, it is always open for the second respondent to initiate appropriate proceedings either under the provision of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 or under the Land Reforms Act.

Having regard to the facts and circumstances of the case,
the writ petition is disposed of directing the respondents not to interfere with the peaceful possession and enjoyment of the petitioner and not to dispossess her without following due procedure prescribed in law.

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V. ESWARAIAH, J

February 17, 2006

Note: Furnish C.C. of the order by 20.02.2006

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DSK